Peter L. Kaufman, FL Bar No. 0548421 LEVIN, PAPANTONIO, THOMAS, MITCHELL, ECHSNER & PROCTOR, P.A. 316 South Baylen Street, Suite 600 (32502) PO Box 12308 Pensacola, FL 32591

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## UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA

## Case Specific Number: C 07 4031 IN RE: BEXTRA AND CELEBREX MARKETING SALES PRACTICES AND MDL NO. 1699 PRODUCT LIABILITY LITIGATION District Judge: Charles R. Breyer GARY BREWER, individually, RICHARD CALLOWAY, individually, STIPULATION AND ORDER OF MIKE HANEY, individually, DISMISSAL WITH PREJUDICE KATHY HOOVER, individually, LINDA LATHAM, individually, BARBARA MAYO, individually, GERNIE MOORHEAD, individually, JOHN NIXON, individually, RAPHAEL RAMSARRAN, individually, ISABEL SANABRIA, individually, LEONID ZAGORODNYUK, individually, Plaintiffs, VS. Pfizer, Inc., et al. Defendants.

Come now the Plaintiffs, GARY BREWER, RICHARD CALLOWAY, MIKE HANEY, KATHY HOOVER, LINDA LATHAM, BARBARA MAYO, GERNIE MOORHEAD, JOHN

NIXON, RAPHAEL RAMSARRAN, ISABEL SANABRIA, and LEONID ZAGORDNYUK, and Defendants, by and through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby stipulate to the dismissal of this action with prejudice with each side bearing its own attorneys' fees and costs.

DATED: \_\_\_\_\_, 2009

By:

Peter L. Kaufman, FL Bar No. 0548421 LEVIN, PAPANTONIO, THOMAS, MITCHELL, ECHSNER & PROCTOR, P.A. 316 South Baylen Street, Suite 600 (32502) PO Box 12308 Pensacola, FL 32591

Telephone: (850) 435-7107 Facsimile: (850) 435-7020 Attorneys for Plaintiff

DATED: August 6, 2009

By:\_\_\_\_

DLA PIPER LLP (US) 1251 Avenue of the Americas New York, NY 10020 Telephone: (212) 335-4500 Facsimile: (212) 335-4501

Facsimile: (212) 335-4501 Defendants' Liaison Counsel

PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION, IT IS SO ORDERED.

Dated: AUG 1 7 2009

Hon. Charles R. Breyer

United States District Court